

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

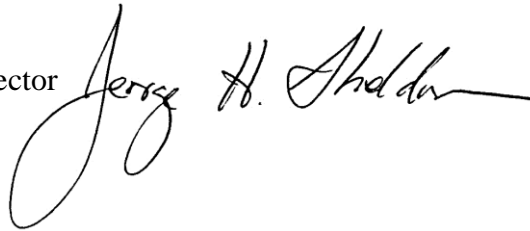
POLICY GUIDE 2016.04

**DIRECTOR'S WAIVER PROCESS
FOR PLACEMENT WAIVERS IN LICENSED HOMES**

DATE: April 4, 2016

TO: DCFS and Private Agency Licensing, Child Protection and Child Welfare Staff

FROM: George H. Sheldon, Director



EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Policy Guide is to inform Department and Purchase of Services (POS) licensing, child protection and child welfare staff of new procedures designed to streamline and centralize the process for requesting and granting waivers related to placement restrictions in licensed foster homes.

This Policy Guide supersedes any procedure or practice to the contrary and the Department will propose any amendments and revisions necessary to ensure affected rules and procedures are in harmony and comport with this Policy Guide.

II. PRIMARY USERS

The primary users of this Policy Guide are Department and POS licensing, child protection and child welfare staff.

III. SUMMARY

All waiver requests noted within this policy guide shall be sent through the Waiver Requests Mailbox on the DCFS Outlook Directory. They will be disseminated from this single point of entry to the designated parties for review and decision-making as follows:



IV. LEVELS OF REVIEW AND APPROVAL

- a) **Waiver Requests for Expanded Capacity for over 8 Children for the purpose of adoption are reviewed and approved only by the Director.**
- b) **Waiver Requests that are reviewed by the Associate Deputy Director of Agencies & Institutions and Foster Home Licensing, with final decision approval by the Deputy Director of Licensing:**
 - 1) Waiver Requests for Rule 402 that are in the best interest of a specific child, are non-safety related and may impede or prevent licensure for relatives.
 - 2) Waiver Requests for Rule 402, unless prohibited by law, that are in the best interest of the related or unrelated foster child.
- c) **Waiver Requests that are reviewed by the Associate Deputy Director Agencies & Institutions and Foster Home Licensing for a decision:**

Waiver Requests for Rule 402, Appendix B, Maximum Expanded Capacity (over 6 children and no more than 8 children in home under age 18) for one of the following four purposes:

- Accommodating a sibling group;
- Accommodating a foster child, with a child;
- Accommodating a respite stay; or
- Accommodating an adoptive placement.

V. PROCESS

- a) **Expanded Capacity Request – Over 8 Children in one Foster Home Only for Purpose of Adoption**

Use the **CFS 591, Request For Expanded Capacity Foster Home License.**

- 1) A licensing representative makes the request for an Expanded Capacity waiver using the **CFS 591**.
- 2) A licensing representative sends the completed and signed **CFS 591** to the designated Outlook mailbox, titled, “Waiver Requests.”
- 3) Waiver requests for expanded capacity will be received, reviewed and recorded at a central point of entry.
- 4) Waiver Requests related to expanded capacity shall subsequently be sent directly to the Director of the Department for a Review and Decision.

The Director's Office shall notify the assigned licensing representative and supervisor, caseworker and caseworker supervisor, Central Office of Licensing, Placement Clearance Desk, and the applicable Regional Administrator of the decision to grant or deny the request for expanded capacity to over 8 children for the purpose of adoption.

b) Best Interest Waiver of Licensing Standards

Use the **CFS 402-1, Waiver of Licensing Standards for Foster Family Homes**.

- 1) Caseworker and licensing representative jointly make a request for a waiver of the licensing standard based upon best interest of the foster child. A licensing representative completes page 1 of the **CFS 402-1**, while the caseworker completes the remaining pages.
- 2) Contact, consult and secure signature approval of each caseworker and supervisor with a child placed in the foster home on the **CFS 402-1**.
- 3) Send the completed **CFS 402-1**, with required signatures, to the Outlook Mailbox, titled, "Waiver requests."
- 4) Waiver requests will be received, reviewed and recorded by a designated owner of the Waiver Requests Mailbox and distributed to the appropriate staff for follow up.
- 5) Waiver Requests related to licensing standards and expanded capacity shall be sent directly to the Associate Deputy Director of Agencies & Institutions and Foster Home Licensing, or designee for Review and Recommendation of approval or denial.
- 6) Associate Deputy Director of Agencies & Institutions and Foster Home Licensing makes a recommendation and moves it forward to the Deputy Director of Licensing for final signature approval as designee for the Director.
- 7) Deputy Director of Licensing receives/reviews and provides final signature approval, as designee for the Director.
- 8) Written explanation of how the waiver is in the best interest of the foster child shall be signed and sent to the child's parents (unless TPR), State's Attorney's Office and Guardian Ad Litem.
- 9) Upon final approval or denial, the approval source, or designee shall provide notice of the decision to the assigned licensing representative and supervisor, assigned caseworker and caseworker supervisor, Central Office of Licensing, Placement Clearance Desk, and applicable Regional Administrator.

- 10) The Department's decision regarding the request for a waiver shall be documented in writing and included in the child's case record and licensing file.

c) **Expanded Capacity Request – Over 6 and no more 8 Children in one Foster Home**

Requests for maximum Expanded Capacity Waiver (over 6 children and no more than 8 children in home under age 18) may be made for one of the following four purposes:

- Accommodating a sibling group;
- Accommodating a foster child with a child;
- Accommodating a respite stay; or
- Accommodating an adoptive placement.

Use the **CFS 591, Request For Expanded Capacity Foster Home License**.

- 1) A licensing representative makes the request for an Expanded Capacity waiver using the **CFS 591**.
- 2) A licensing representative sends the completed and signed **CFS 591** to the designated Outlook mailbox, titled, “Waiver Requests.”
- 3) Waiver requests for expanded capacity will be received, reviewed and recorded at a central point of entry.
- 4) Waiver Requests related to expanded capacity shall subsequently be sent directly to the Associate Deputy Director of Agencies & Institutions and Foster Care Licensing or designee for Review and Recommendation for a final decision.
- 5) The Associate Deputy Director or designee shall make a decision to grant or deny the waiver request, or request additional information.
- 6) Associate Deputy Director or designee shall notify the assigned licensing representative and supervisor, caseworker and caseworker supervisor, Central Office of Licensing, Placement Clearance Desk, and the applicable Regional Administrator of the decision to grant or deny the request for expanded capacity.
- 7) The Licensing Unit assigned shall subsequently send an approved **CFS 591**, with an ILS amending capacity, to Central Office of Licensing in Springfield.

- 8) The Department's decision regarding the request for a waiver shall be documented in writing and included in the child's case record and licensing file.

Please Note:

The current process for requesting a Director's waiver for a perpetrator that has been indicated on a report(s) that equate to a presumption of unsuitability shall remain the same.

The Placement Clearance Desk and the Central Office of Licensing Background Checks Unit processes for waivers remain the same when:

- Requesting a waiver for an indicated perpetrator that is not a presumption of unsuitability; or
- Requesting a waiver for a criminal bar that is not an absolute bar to licensure.

IV. REVISED FORMS

CFS 402-1, Waiver of Licensing Standards for Foster Family Homes (Rev 4/2016)
CFS 591, Request for Expanded Capacity Foster Home License (Rev 4/2016)

The revised forms are available on the "T" Drive and DCFS Website.

V. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at OCFP – Mailbox. Non Outlook users may e-mail questions to cfpolicy@idcfs.state.il.us.

VI. FILING INSTRUCTIONS

File this Policy Guide immediately following **Procedures 402, Licensing Standards for Foster Family Homes**.

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